

REMARKS

No claims are amended, canceled, or added; as a result, claims 1-5, 16-25, 32-38, 42-46, 50-52, 55-59, and 62-63 are now pending in this application.

Specification Amendment

Applicants have amended the specification to correct obvious typographical errors in the application. Specifically, an amendment was made on page 10 of the specification to correct the reference number for the database server from "150" to "190." An amendment was made on page 11 of the specification to delete the phrase "191." No new matter is proposed. Approval and entry of the specification amendments is respectfully requested.

Information Disclosure Statement

Applicants thank the Examiner for returning a signed copy of Form 1449 filed on May 4, 2004. Applicants acknowledge that the Supplemental Information Disclosure Statement submitted on March 7, 2005 was received and is being considered by the Examiner. Applicants respectfully request that the Examiner complete the consideration of the Supplemental Information Disclosure Statement and return a completely-initialed copy of the 1449 form with the next official communication.

Double Patenting Rejection

Claims 1, 21, 34, 42, 50, and 57 were provisionally rejected under the judicially created doctrine of double patenting over claims 1-2 and 6-12 of copending Application No. 11/004,312.

Claims 1, 21, 34, 42, 50, and 57 were provisionally rejected under the judicially created doctrine of double patenting over claims 1, 5, and 9-12 of copending Application No. 11/004,733.

Claims 1, 34, and 42 were provisionally rejected under the judicially created doctrine of double patenting over claims 1-3 of copending Application No. 11/004,734.

Applicants draw the Examiners attention to MPEP § 804 I.B. which states,

Occasionally, the examiner becomes aware of two copending applications filed by the same inventive entity, or by different inventive entities having a common inventor, and/or by a common assignee that would raise an issue of double patenting if one of the applications became a patent. Where this issue can be addressed without violating the confidential status of applications (35 U.S.C. 122), the courts have sanctioned the practice of making applicant aware of the

potential double patenting problem if one of the applications became a patent by permitting the examiner to make a "provisional" rejection on the ground of double patenting. *In re Mott*, 539 F.2d 1291, 190 USPQ 536 (CCPA 1976); *In re Wetterau*, 356 F.2d 556, 148 USPQ 499 (CCPA 1966).

The present application has at least the same inventive entity, or a different inventive entity having a common inventor, and/or a common assignee with each of the copending applications 11/004,312, 11/004,733, and 11/004,734. Further, MPEP § 804 I.B. goes on to state,

The "provisional" double patenting rejection should continue to be made by the examiner in each application as long as there are conflicting claims in more than one application unless that "provisional" double patenting rejection is the only rejection remaining in one of the applications. If the "provisional" double patenting rejection in one application is the only rejection remaining in that application, the examiner should then withdraw that rejection and permit the application to issue as a patent, thereby converting the "provisional" double patenting rejection in the other application(s) into a double patenting rejection at the time the one application issues as a patent.

With regards to claims 1, 21, 34, 42, 50, and 57, the above listed "provisional" double patenting rejections are the only rejections remaining in the present application. Therefore, Applicants respectfully request that the Examiner, pursuant to MPEP § 804 I.B., withdrawal the provisional double patenting rejections of claims 1, 21, 34, 42, 50, and 57 and permit the application to issue as a patent.

Allowable Subject Matter

Claims 2-5, 16-20, 22-25, 32-33, 35-38, 43-46, 51-52, 55-56, 58-59, and 62-63 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants acknowledge and thank the Examiner for the indication of allowability of claims 2-5, 16-20, 22-25, 32-33, 35-38, 43-46, 51-52, 55-56, 58-59, and 62-63 if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants have not amended these claims to place them in independent form at this time because pursuant to arguments presented above, Applicants respectfully submit that claims 2-5, 16-20, 22-25, 32-33, 35-38, 43-46, 51-52, 55-56, 58-59, and 62-63 are in condition for allowance.

CONCLUSION

Applicants respectfully submit that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicants' attorney at 408-278-4042 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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By their Representatives,

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Date 7/7/2005

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 7 day of July, 2005.

Dawn R. Shaw

Name

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Signature